

MAY 17 2004

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8-24-04

Patent Application  
Attorney File No. 96602-US-NP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert J. Meyer et al.

Application No.: 09/362,021

Filed: 07/27/1999

Examiner: Melanie M. Vida

Art Unit: ~~2697~~ 2626

Confirmation No.: 6311

Title: AUXILIARY PIXEL PATTERNS FOR  
IMPROVING PRINT QUALITYCERTIFICATE OF TRANSMISSION

I hereby certify that this  
correspondence is being facsimile  
transmitted to the U.S. Patent and  
Trademark Office (Fax No. (703)  
872-9306, on:

5/17/2004

(Date of transmission)

  
Francie S. LePore

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION AND WITHDRAWAL  
OF HOLDING OF ABANDONMENT IN VIEW OF  
CERTIFICATE OF MAILING PRACTICE UNDER 37 C.F.R. 1.8

Applicants have been informed by the Examiner that the subject application has been abandoned for failure to respond to the Office Action mailed 10/2/2003. The Notice of Abandonment was indicated in a telephone call initiated by the Examiner on 4/27/2004.

A timely response to the Office Action was mailed on 3/29/2004 and included an Amendment, a 1449 IDS Form, as well as a Request for Extension of Time. The amendment contained a Certificate of Mailing as set forth in 37 C.F.R. 1.8(a) and signed by Francie S. LePore. Copies of the Amendment, the 1449 IDS Form, as well as the Request for Extension of Time, which were received at the USPTO, have been

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previously faxed 4/28/2004 to the Examiner subsequent to receipt of the Examiner's telephone call indicating abandonment.

Attached hereto is a copy of the postcard which accompanied the documents mailed on 3/29/2004. The postcard was returned with the Office "MAILROOM" stamp indicating receipt by the PTO on 4/1/2004. As stated in MPEP 503:

"A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all items listed thereon on the date stamped thereon by the PTO."

The Amendment mailed on 3/29/2004 and received by the Patent Office is a complete response to the Official action mailed 10/2/2003. Therefore, it is respectfully requested that the holding of abandonment be withdrawn in view of the timely mailing with the Certificate of Mailing under 37 C.F.R. 1.8(a).

The undersigned does not believe a Petition to Revive is required, as the subject application has not been abandoned as evidenced by Applicant's timely response mailed 3/29/2004 in accordance with the Certificate of Mailing practice under 37 C.F.R. 1.8(a). However, in the alternative should it be necessary, it is requested that this letter be considered as a Petition To Withdraw Holding Of Abandonment under 37 C.F.R. §1.181 to withdraw technical holding of abandonment based upon failure to timely receive the Applicants' amendment/response.

In accordance with MPEP 711.03(c), Applicants' attorney, Christopher D. Wait, hereby states that the amendment/response including any needed request for an extension of time for the above-identified application was timely sent and hereby further attests that a return post card of mailing indicating receipt by the PTO was returned to the Applicants.

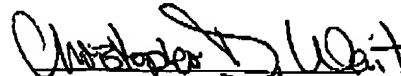
Application No. 09/362,021

In view of the above showing, Applicants respectfully request the withdrawal of the Notice of Abandonment.

No additional fee is believed to be required for this petition. However, the undersigned Xerox Corporation attorney (or agent) hereby authorizes the charging of any necessary fees to Xerox Corporation Deposit Account No. 24-0025.

In the event the Examiner considers personal contact advantageous to the disposition of this case, she is hereby requested to call the undersigned attorney at (585) 423-6918, Rochester, NY.

Respectfully submitted,



Christopher D. Wait  
Attorney for Applicant(s)  
Registration No. 43,230  
(585) 423-6918

May 17, 2004  
CDW/fsl  
Xerox Corporation  
Xerox Square 20A  
Rochester, New York 14644  
Attachment: Postcard

**XEROX.**

D/96602

BA, EX, C~~X~~, CI

Express Mail No.

Sir: Kindly acknowledge receipt of the accompanying papers identified below by placing your Office Date Stamp and serial number, where appropriate, hereon and mail. Thank you.

Date: 3/29/04 Atty (Initials): CDW Patent Department, Xerox Corporation

Type of Paper: Amendment w/ CI Applicant(s): Robert J. Meyer  
For Applications: Supp IDS w/ PTO-1449 et al.

For Applications: **supp 203 w/ F10-1449**

**For Applications:**

\_\_\_\_\_ Pages of Spec. \_\_\_\_\_ Claims \_\_\_\_\_ Sht. Dws. (Form 101) \_\_\_\_\_

☐ Declaration & Power

☐ Assignment to Xerox Corporation

☐ Transmittal Letter with \$\_\_\_\_\_ fee by Deposit Acct.

☐ IDS Form 1449 with copies of listed references enclosed.

**For All Other Papers:**

Serial Number: 09/362.02 Filing Date: 7/27/98

Examiner: Melanie M. Vidas Group Art Unit 2697

53014 (3/2003) Legal

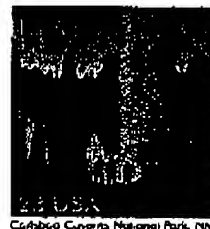
Confirmation No. 6311

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PATENT DEPARTMENT

**PATENT DEPARTMENT**  
**Xerox Corporation**  
**Xerox Square - 020**  
**Rochester, New York 14644**



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FAX COVER SHEET

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DATE: 5/17/2004

## PLEASE DELIVER TO:

NAME: Examiner Melanie M. Vida, Group Art 2697  
COMPANY: USPTO  
PHONE: (703) 306-4220  
FAX #: (703) 872-9306

## FROM:

NAME: Christopher D. Wait  
PHONE #: (585) 423-6918  
FAX #: (585) 423-5240

Total Pages (Including Cover Sheet): 5

Special instructions or supplemental message: Attorney File No. 96602-US-NP - REQUEST FOR RECONSIDERATION AND WITHDRAWAL OF HOLDING OF ABANDONMENT IN VIEW OF CERTIFICATE OF MAILING PRACTICE UNDER 37 C.F.R. 1.8 AND POSTCARD to follow:

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Examiner: Melanie M. Vida

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Title: **AUXILIARY PIXEL PATTERNS FOR IMPROVING PRINT QUALITY**

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